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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

March 8, 1993

Room 222  
Dockets #743

IN REPLY REFER TO:  
7330-7/1700A3

Honorable Robert L. Livingston  
House of Representatives  
Rayburn House Office Building  
Room 2368  
Washington, D.C. 20515

RECEIVED

AUG 11 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Congressman Livingston:

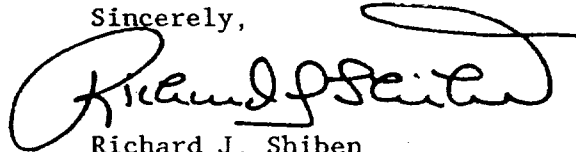
This is in reply to your letters of February 10-17, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235/57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituents' concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Your constituents' letters will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,



Richard J. Shiben  
Chief, Land Mobile & Microwave Division  
Private Radio Bureau

Enclosures

No. of Copies rec'd  
List ABCDE

047

ROBERT L. LIVINGSTON  
1ST DISTRICT, LOUISIANA

APPROPRIATIONS COMMITTEE

SUBCOMMITTEES:  
DEFENSE  
FOREIGN OPERATIONS

HOUSE ADMINISTRATION  
COMMITTEE



**Congress of the United States**  
**House of Representatives**

Washington, DC 20515-1801

February 10, 1993

PRB  
92-235  
743

WASHINGTON OFFICE:  
ROOM 2388  
RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-1801  
(202) 225-3015

DISTRICT OFFICE:  
111 VETERANS BLVD.  
SUITE 700  
METairie, LA 70006  
(504) 889-2753

Mr. Terry Haines  
Chief of Staff  
Office of Congressional Affairs  
FCC  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Mr. Haines:

Enclosed please find communication I have recently received from one of my constituents for your consideration. I would greatly appreciate your complying with their request, if possible.

I would appreciate your advising me of your action in this matter and returning the letters to me with your reply to my Washington Office.

Sincerely,

ROBERT L. LIVINGSTON  
Member of Congress

RLL/tf

Enclosures (3)

RECEIVED  
FEB 24 4 14 PM '93  
PRIVATE LEGAL COUNSEL  
FBI

109 Wagner Dr.-  
River Ridge, Louisiana 70473  
FEB 3 1993  
January 29, 1993

The Honorable Bob Livingston  
U.S. House of Representatives  
Washington, D.C. 20515

I am nearing retirement age, have given up racing full scale yachts because of the cost and derive many hours of enjoyment from constructing and racing radio controlled model yachts. We have a large, active membership in the Greater New Orleans Model Sailing Club, with most of our members either now or in the recent past having been active members of Southern Yacht Club, New Orleans Yacht Club, Pontchartrain Yacht Club, etc. But with the cost of purchasing, equipping and crewing real sail boats many of us just cannot afford any sailing activity other than our model yachts.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model yachts.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model yachts, only 19 frequencies will be left if these new rules are adopted.

When we sail our model yachts under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model yachts are nearly five feet long and weigh as much as 30 pounds or more. The models themselves are expensive to build; but more to the point, they are capable of causing property damage or serious injury if radio interference causes the operator to lose control of the craft. We often sail our models at organized events and contests where dozens of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe sailing environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself.

Please help me continue the safe enjoyment of my sport by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

*Herbert H. Lindyman*

FEB - 5 1993

FEB - 8 1993

February 3, 1993

The Honorable Robert Livingston  
111 Veterans Memorial Blvd.  
Metairie, LA

Dear Mr. Livingston,

My concerns with your proposed rules change "PR Docket,"- which if implemented will greatly interfere with my only pastime. If adopted, the new rules currently assigned for model use will increase the risk of accident and attendant liability for controlling model aircraft.

Something about myself, I am a retired businessman from the auto repair industry. I am 68 years old, I began modeling after my marriage some 44 years ago which gave me and my family many hours of enjoyment. I'm the father of two sons, a grandfather of four, and great-grandfather of two. My two sons, two of my grandsons, and one of my grand-daughters enjoy the use of radio controlled equipment. I am a member of the AMA (Academy of Model Aeronautics) and an active member of the Saint Bernard AeroSpace Club (a local flying club).

I understand the importance of communications, but feel that this change will hurt the pastime enjoyment of many people like me and my family. These changes will make safe flying an artifact. Some aircraft have wing spans of ten feet and can weigh as much as 30 to 40 pounds. These models are flown at organized events and contest where hundreds of operators participate and many more spectators watch the performances.

As a frequency user, I don't think it is the wish of the F.C.C. to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The F.C.C. may not think we are as important a business users of radios, but we have considerable investments in our radio equipment. This hobby provides many hours of enjoyment to thousands of people like me and my family.

Model aviation has made significant contributions to the aviation industry. It has even been used in the Gulf War. Let's work together to keep this a safe and enjoyable recreation that all ages can enjoy. Please help me to enlighten the F.C.C. regulatory commission of the feelings of model aircraft hobbyist. Model aircraft hobbyist would like the F.C.C. not to change the frequency.

Sincerely yours,

*Louis J. Daigle Sr.*  
Louis J. Daigle, Sr.

February 3, 1993

FEB - 5 1993

The Honorable Robert Livingston  
111 Veterans Memorial Blvd.  
Metairie, LA 70002

FEB - 8 1993

Dear Mr. Livingston,

A very important past times of mine is building and flying model airplanes. My interest began in aviation at a very young age, almost at birth. My father's interest began before I was born. Now my son has an interest, so this is three generations of modeling. I was married in 1969 and my wife joined the ranks of model aviators.

In 1971 we were involved in Radio Control aircraft. We became members of the Academy of Model Aviation. We became members of the Chalmette Radio Control Club, a local modeling club in the area. Now, my son, my father, my intended son-in-law and I belong to the Saint Bernard AeroSpace Club. We have a rather large investment in our hobby and a deep concern of how long it will exist.

Our current concern is with the proposed rules under consideration by the F.O.C., to which I refer is the P. R. Doclet 92-235. The new rules if adopted would greatly reduce the usability of frequencies currently assigned for model use, increase the risk of accidents, and attendant liability for controlling model aircraft.

The frequencies used by modelers are 72 MHz - 76 MHz bands. This band is primarily used for private land mobile dispatch operators. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have shared the band without either user interfering with the other.

The F.O.C. now wants to create more land mobile frequencies by splitting them into narrower band widths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies that will cause interference to the radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes only 19 frequencies will be left if these new rules are adopted.

We go to great lengths to assure the safety of the operators, equipment, and bystanders when we fly our model aircraft by radio control. When there is interference with a frequency in a radio control aircraft you could loose everything, which is the safety of the operator, spectators, and loss of aircraft. We as members of AMA pride ourselves on our safety and would like to keep our hobby known as the safest.

Our aircraft are of various sizes come with wings that span to ten feet. They can weigh as much as forty pounds. The models themselves are expensive to build. They can cause property damage, serious injury, or even death if interferences cause the operator to loose control of his aircraft. We fly these aircraft at organized events and shows were hundreds of operators

participate in competition and there are many more spectators present.

I do believe communication is very important. I am a user of many types of radio communicative instruments, not just as a lobbyist. In my work I use a hand held radio, a cellular phone, a C.B. in my car, and a marine radio for my boats. I do not think it wise for the F.C.C. to seek to improve the operating conditions of land mobile radio units at the expense of modelers.

Not only do we as modelers have a considerable investment in our models and radio equipment, our hobby provides many hours of enjoyment to thousands of people like me. Model aviation has contributed to the advancement and development of the commercial aviation industry, and should not suffer by the passage of these frequency changes. The F.C.C. should not take model aviationist lightly. A further note radio controlled aircraft was used in the Persian Gulf War.

Please take the feelings of my family, club members, other hobbyist, and myself into consideration when P.P. Docket 92-235 comes before you. Please help me to continue the safe enjoyment of my past-time by not allowing the passage of this proposal to change the 72mhz-76mhz band.

Sincerely yours

  
Louis J. Doigle, Jr.

Eddie Rivet  
118 Pelican Drive  
Raceland LA 70394

(504) 537-3018

January 29, 1993

FEB - 9 1993

Bob Livingston  
House of Representatives  
Washington DC 20515

Re: PR Docket 92-235

Dear Mr. Livingston:

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.



Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band.

Sincerely,

Eddie Ruch